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295-F-PCT-48

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR RENEWING SOFTWARE IN A SOFTWARE-OPERATED MACHINE

Case No. XXX, the specification of which

(check one) \_\_\_\_\_ is attached hereto.

XXXX was filed on December 8, 1999 as PCT/JP99/06885

Application Serial No. 09/890,904 filed on August 6, 2001

and was amended on \_\_\_\_\_.

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1. 56(a) and understand that information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below

Prior Foreign Application(s)

| Number | Country | Date  |
|--------|---------|-------|
| _____  | _____   | _____ |
| _____  | _____   | _____ |
| _____  | _____   | _____ |
| _____  | _____   | _____ |
| _____  | _____   | _____ |

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)

| Number | Country | Date  |
|--------|---------|-------|
| _____  | _____   | _____ |
| _____  | _____   | _____ |
| _____  | _____   | _____ |

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

| Number | Country | Date  |
|--------|---------|-------|
| _____  | _____   | _____ |
| _____  | _____   | _____ |
| _____  | _____   | _____ |

And I hereby appoint Robert H. Bachman (19,374), Gregory P. LaPointe (28,395), Richard S. Strickler (18,228) and Barry L. Kelmachter (29,999), all members of the firm of Bachman & LaPointe, P.C., A Professional Corporation.

Gregory P. LaPointe  
Telephone: 203-777-6628

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Bachman & LaPointe, P.C.  
Suite 1201  
900 Chapel Street  
New Haven, CT 06510-2802

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

\_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00  
Full name of sole or first inventor Masanobu Fujita

Inventor's signature M. Fujita Date August 20, 2001

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2-00  
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Inventor's signature Toitsu Ohya Date August 20, 2001

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3-00  
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Inventor's signature Taichi Sato Date August 20, 2001

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4-00  
Full name of fourth joint inventor Koji Kuroiwa  
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Inventor's signature Koji Kuroiwa Date August 20, 2001

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5-00  
Full name of fifth joint inventor Toru Seki  
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Inventor's signature Toru Seki Date August 20, 2001

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